**IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL**

**Writ Petition No. 1099 of 2004 (M/B)**

People's Union for Civil Liberties, Uttaranchal Unit,
Through its Executive Member Rajiv Lochan Sah,
S/o Late Sri K.L. Sah,
R/o Ashok Hotel, Tallital,
Nainital. ……. Petitioner

Versus.

1. State of Uttaranchal,
through Chief Secretary,
Secretariat, Dehradun.
2. State Finance Commission,
Govt. of Uttaranchal, Dehradun
3. State of Election Commission,
Govt. of Uttaranchal,
Dehradun. …..Respondents.

Mr. Siddhartha Sah, Advocate for the petitioner.
Mr. Subhash Upadhyaya, Standing Counsel for respondents Nos. 1 and 2.
Mr. Arvind Vashishth, Advocate for respondent No. 3.

**JUDGMENT**

**Coram: Hon'ble Rajeev Gupta, C.J.**
**Hon'ble Prafulla C. Pant, J.**

**RAJEEV GUPTA, C.J. (Oral)**

Mr. Siddhartha Sah, Advocate for the petitioner.

Mr. Subhash Upadhyaya, Standing Counsel for respondents Nos. 1 and 2.

Mr. Arvind Vashishth, Advocate for respondent No. 3.

2. The petitioner has filed this writ petition styled as 'Public Interest litigation' for the following reliefs:

> "I. A writ, order or direction in the nature of Certiorari quashing the impugned notification dated 28.11.2002 appointing the One Man Commission.
>
> II. An appropriate writ, order or direction commanding the State of Uttaranchal to constitute District Planning Committee in accordance with Article 243 ZD of the Constitution of India.

III. An appropriate writ, order or direction commanding the State of Uttaranchal to reorganize "Districts" in terms of Constitutional 73rd and 74th Amendment Act and also to define in the Panchayat at "Intermediate Level".

IV. An appropriate writ, order or direction commanding the State of Uttaranchal to define or redefining or reconstitute the large urban areas, smaller urban areas, transitional areas in terms of Article 243 (Q) of the Constitution of India.

V. An appropriate writ, order or direction commanding the State of Uttaranchal to decide the location of capital at Garasin in terms of the Kaushik Committee Report.

VI. Any other writ, order or direction which this Hon'ble High Court deem fit and proper in the facts and circumstances of the case.

VII. Award cost of the petition to the Petitioner."

3. Admittedly, the petitioner did not make a representation to the respondents for the redressal of the grievances projected in the writ petition.

4. In this view of the matter, we decline to entertain the writ petition filed as 'Public Interest Litigation.'

5. The writ petition, therefore, is dismissed.

**(Prafulla C. Pant, J.)** **(Rajeev Gupta, C.J.)**

**19.05.2006** **19.05.2006**

G